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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,178	03/24/2004	Yoshiko Amitani	040150	4182
23850 7590 05/16/2007 ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP 1725 K STREET, NW SUITE 1000 WASHINGTON, DC 20006			EXAMINER LAO, LUN YI	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 05/16/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/807,178

Applicant(s)

AMITANI ET AL

Examiner

LUN-YI LAO

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 21 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date See Continuation Sheet
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :3/24/2004, 6/29/2006 and 9/13/2006.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sassi(6,487,396) in view of Kang et al(7,146,197).

As to claims 1-5, Sassi teaches a portable wireless terminal comprising a first case(2) having a front surface and a rear surface, a second case(3) having a front surface and a rear surface and provided with a display(5a, 6a), and an interconnecting mechanism(4) for interconnecting the two cases(2, 3), the second case(3) connecting to the first case(2) by the interconnecting mechanism(4) so that the second case(3) is closable to a first posture(close position) wherein at least a part area of front surface of the first case(2) is covered and is openable to a second posture(open position) wherein the part area is exposed, the display(5a, 6a) being arranged at a position such that the display(5a, 6a) is exposed regardless of whether the second case(3) is set to the first posture(open) or to the second posture(close), the part area having a pointing device (7a) for an input manipulation on a display(6a), the second case(3) having an opening extending through the case from the front surface thereof to the rear surface thereof at

the position opposed to the pointing device(7a) when in the first posture(close position)(see figures 1-2; column 4, lines 17-36 and column 5, lines 25-65).

Sassi fails to disclose a pointing device projecting from the front surface of the first case.

Kang et al teach a portable wireless terminal comprising a first case(10); a second case(20); a pointing device(310) projecting from the front surface of the first case(10)(see figures 1-2; column 4, lines 29-52). It would have been obvious to have modified Sassi with the teaching of Sassi, since Sassi has disclosed the pointing device(7) could be mounted on a first case(2)(see column 5, lines 58-65). A change in location is generally recognized as being within the level of ordinary skill in the art.

As to claim 2, Sassi teaches the pointing device(7a) is in the form of a bar, and is movable so as to tilt upwardly, downwardly, rightwardly or leftwardly with its base end serving as a fulcrum(see figures 1, 2; column 3, lines 50-60 and column 7, lines 43-59).

As to claim 3, Sassi teach the interconnecting mechanism comprises a hinge mechanism(4) for openably interconnecting the first case(2) and the second case(3), the front surface of the second case(3) is opposed to the front surface of the first case(2) in the first posture(close position); in the meantime, the front surface of the second case(3) is apart from the front surface of the first case(2) in the second posture(open position), the display(5a) is disposed on the rear surface of the second case(3) serving as a sub-display; in the meantime, a main display(6a) is disposed on the front surface of the second case(3), the opening(3C) provides a through bore having an inner peripheral wall to surround the pointing device(7a), the pointing

device(7a) functions for a screen presented on the sub-display in the first posture(close position); in the meantime, the pointing device(7a) functions for a screen(5a) presented on the main display in the second posture(open position)(see figures 1-2; column 5, lines 25-65; column 6, lines 19-68; column 7, lines 1-7 and column 8, lines 53-63).

As to claim 4, Sassi as modified teaches the hinge mechanism(4) comprises a first barrel portion which is provided on an upper end of the first case and a second barrel portion which is provided on a lower end of the second case, and the first and second barrel portions are interconnected coaxially to move rotatably relative to one another, the pointing device is provided on the first barrel portion(see Sassi's figure 2. and Kang's figure 2)

As to claim 5, Kang et al teach the interconnecting mechanism comprises a sliding mechanism for slidably interconnecting the first case and the second case one another, the two cases are slidably lapped over one another with the front surface of the first case opposed to the rear surface of the second case, the two cases are lapped over in the greatest area in the first posture; in the meantime, the two cases are lapped over in the smallest area in the second posture, the display is disposed on the front surface of the second case, and the opening is formed by a notch having a U-shaped opening opposed to the pointing device(see figure 1 and column 1, lines 41-55).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Davani et al(US 20060007143) teaches a portable device having a joystick.

Kubo et al(US 20060054476) teaches a portable device having a joystick.

Young et al(US 20050057501) teaches a portable device having a joystick.

Wang(US 20020151282) teaches a portable device having a joystick.

Kemppinen(7,123,240) teaches a portable device having a joystick.

Lammintausta et al(6,757,157) teaches a portable device having a joystick.

Hickey et al(US 20050141703) teaches a portable device having a U-shaped notch.

Johnson et al(6,463,262) teaches a portable device having a U-shaped notch.

Kubo et al(6,842,626) teaches a portable device having a U-shaped notch.

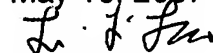
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi Lao whose telephone number is 571-272-7671. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 10, 2007



Lun-yi Lao

Primary Examiner